

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 5, 2003**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of February 5, 2003, was called to order by Mayor Hitchcock at 6:18 p.m.

Present: Council Members – Beckman, Hansen, Howard, Land, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

C-2 ANNOUNCEMENT OF CLOSED SESSION

a) Actual litigation: Government Code §54956.9(a); one case; *Quesada vs. City of Lodi et al.*, Superior Court of California, County of San Joaquin, Stockton Branch, Case No. CV 016631

b) Actual litigation: Government Code §54956.9(a); one case; *Leveille vs. City of Lodi et al.*, U.S. District Court, Eastern District, Case No. CIV S-00-1729 DFL DAD

C-3 ADJOURN TO CLOSED SESSION

At 6:18 p.m., Mayor Hitchcock adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:50 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:00 p.m., Mayor Hitchcock reconvened the City Council meeting, and City Attorney Hays disclosed the following actions.

In regard to Item C-2 (a), staff received direction with regard to the settlement.

In regard to Item C-2 (b), staff received direction with regard to the settlement.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of February 5, 2003, was called to order by Mayor Hitchcock at 7:00 p.m.

Present: Council Members – Beckman, Hansen, Howard, Land, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

B. INVOCATION

The invocation was given by Pastor Chris Chavez, with Heartland Community Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hitchcock.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 Proclamations – None

D-3 (a) "Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program"

NOTE: This item was placed on the agenda in error and was subsequently scheduled for the February 19, 2003 Council meeting.

D-3 (b) Mayor Hitchcock presented Certificates of Recognition to Boy Scouts Adam Robert Handel and Peter Silvestri for obtaining the rank of Eagle Scout. At the request of Mayor Hitchcock, Mr. Handel described his Eagle Scout project, which was to renovate the entrance to the lion's den at Micke Grove Park. Mr. Silvestri completed a landscape project between Vine and Tokay Streets.

D-3 (c) Public Works Director Prima introduced Tree Operations Supervisor Ray Fye. Mayor Hitchcock presented the International Society of Arboriculture (ISA) Arborist Certification to Mr. Fye.

NOTE: The following presentation was added.

Mayor Hitchcock presented a Certificate of Recognition to Mark Clanton with Comcast in appreciation for his many accomplishments and achievements in supporting and promoting the City of Lodi and its surrounding communities during more than twelve years of service as a representative of local television cable companies. Mayor Hitchcock announced that this was the last City Council meeting that Mr. Clanton would attend, as he would soon be moving back to his home state of Florida.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Howard, Beckman second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

E-1 Claims were approved in the amount of \$6,502,680.56.

E-2 The minutes of January 2, 2003 (Regular Meeting), January 7, 2002 (Shirtsleeve Session), January 7, 2003 (Special Meeting), January 14, 2003 (Shirtsleeve Session), January 14, 2003 (Special Meeting), January 21, 2003 (Shirtsleeve Session), and January 21, 2003 (Special Meeting) were approved as written.

E-3 Accepted the quarterly report of the City of Lodi pooled money investment account as required by law SB564.

NOTE: Due to a potential conflict of interest related to his employment with Farmers and Merchants Bank, Council Member Land abstained from discussion and voting on this matter.

E-4 "Adopt resolution approving plans and specifications and authorizing advertisement for bids for Traffic Signal and Street Lighting Improvements at Century Boulevard and Ham Lane; and authorizing the City Manager to award the contract and appropriate funds (\$185,000)" was **removed from the Consent Calendar and discussed and acted upon under the Regular Calendar**.

E-5 Adopted Resolution No. 2003-10 awarding the contract for Phase II of the Lodi Lake Handicap Accessible Pedestrian/Bicycle Corridor Project, 1101 W. Turner Road, to A.M. Stephens Construction Company, of Lodi, in the amount of \$192,745; and appropriated funds in the amount of \$212,020 in accordance with staff's recommendation.

E-6 Adopted Resolution No. 2003-11 awarding the contract for Tree Trimming (Power Line Clearing) to Trees, Inc., of Houston, Texas, at a cost of \$223,378 for the remainder of the 2002/03 fiscal year (evaluated cost of \$258.24 per hour).

E-7 Received Contract Change Order No. 2 for DeBenedetti Park/G-Basin Project Design.

E-8 Received Contract Change Order for Water/Wastewater Main Replacement Program (Project No. 1).

E-9 Adopted Resolution No. 2003-12 accepting the improvements at 1811 West Kettleman Lane.

- E-10 Adopted Resolution No. 2003-13 accepting the improvements at Century Meadows Four, Unit No. 2.
- E-11 Approved the special allocation request in the amount of \$49,500 to continue Lodi/Stockton Fire Academy training.
- E-12 Approved the Joint Exercise of Powers Agreement with San Joaquin County Fire Radio Users Authority.
- E-13 Adopted Resolution No. 2003-14 authorizing the City Manager to execute a contract with JACO Environmental, Inc., to coordinate the Lodi Refrigerator/Freezer Recycling Project.
- E-14 Adopted Resolution No. 2003-15 approving the assignment of the Lodi Boys and Girls Club's rights and obligations under the After School Program agreement between the City of Lodi and the Lodi Boys and Girls Club to New Hope School.
- E-15 Adopted Resolution No. 2003-16 granting permission to destroy certain Police Department records listed below in excess of five years of age:
- Background investigations and employment records of previous employees who have left employment with the City over five years ago (this does not include retirees).
 - Background investigations of previous applicants not hired over five years old.
 - Crime reports, incident reports, and traffic reports over five years old, except for those with pending court action and all homicide investigations.
 - Investigations of citizens' complaints over five years old.
- E-16 Set public hearing for March 5, 2003, to consider resolution establishing an area of benefit and reimbursable costs for Tienda Drive improvements.
- E-17 Set public hearing for March 5, 2003, to consider adopting resolution to approve City of Lodi's Stormwater Management Program as prepared by Black & Veatch Corporation and authorizing the City Manager to approve submittal of a Notice of Intent to apply for the National Pollutant Discharge Elimination System Phase II Permit Application to the Regional Water Quality Control Board.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

G. PUBLIC HEARINGS

None.

H. COMMUNICATIONS

H-1 Claims filed against the City of Lodi – None

H-2 Reports: Boards/Commissions/Task Forces/Committees – None

H-3 The following postings/appointments were made:

- a) The City Council, on motion of Council Member Land, Hansen second, unanimously directed the City Clerk to post for the following vacancies and expiring terms:

Senior Citizens Commission

Trella Arieda Term to expire December 31, 2003

Site Plan and Architectural Review Committee

Howard Vogel Term to expire January 1, 2006

East Side Improvement Committee

Ruth Jimenez Term to expire March 1, 2003

Ann Larson Term to expire March 1, 2003

Virginia Snyder Term to expire March 1, 2003

Council Member Land requested that a Certificate of Recognition be presented to Trella Arieda at an upcoming Council meeting for her many years of service on the Senior Citizens Commission.

- b) The City Council, on motion of Beckman, Howard second, unanimously made the following appointment:

San Joaquin Partnership

Keith Land Unspecified term

H-4 Miscellaneous – None

I. REGULAR CALENDAR

I-1 “Update on State budget”

City Manager Flynn reported that last week the assembly passed an initiative to reinstate the Vehicle License Fee backfill. The senate passed it; however, yesterday it was vetoed by the Governor. He stated that the City's Public Employees Retirement System (PERS) liability in three years will be between \$6 million to \$7 million a year, which is up from zero at this time. A 15% increase in annual medical costs is projected through 2010 and equates to an additional \$2.4 million.

Mayor Hitchcock commented that she recently attended the League of California Cities Employee Relations Institute. It was reported that health benefits will soon represent 50% of compensation packages.

In reply to Council Member Hansen, Mr. Flynn stated that PERS was significantly invested in Enron and WorldCom and he believed there should be some assurance that money is invested wisely and is safe. He indicated that this will be a topic of discussion at a meeting of city managers in Monterey next week.

Mayor Hitchcock stated that at the conference she attended, the historical perspective of PERS investments was reported at 8%. The unfunded liability will get smoothed out over the next ten years. She believed that it was unrealistic to rely on huge interest rates continuing to come in on investments. Debt structure should not be reliant on investment income being consistent over a long period of time. She noted that the Council offered enhancements, e.g. 3% at 50 years, which will end up being expensive.

Mr. Flynn reported that at the time the new enhancements were adopted, an actuarial projection was obtained from PERS on what it would cost. For public safety employees, miscellaneous group, 2% at 55 years, the PERS projection was 1.69%. For public safety, fire, it projected an increase in cost of 4.98%, and for public safety, police, it was projected at 6.252%.

MOTION/ VOTE:

There was no Council action required on this matter.

I-2 “Discuss usage of the Carnegie Forum Small Conference Room as office space for the staff of Senator Charles Poochigian for two half days per month (not to exceed one year)”

Deputy City Manager Keeter stated that the City was contacted by Senator Poochigian's office staff with a request that they be allowed to use the small conference room in the Carnegie Forum twice a month from 1:00 to 5:00 p.m. for a one-year period. If the phone was used for long distance calls, they would reimburse the City. The Senator's office is in Fresno, and he is interested in providing a community service in Lodi by offering a satellite office in the Carnegie Forum to meet with the public. This use is not covered in the policy for use of the Forum, and any exceptions must be approved by Council.

Council Member Land acknowledged that he met with Ann Jordan, aid to Senator Poochigian. He expressed support for the request, as long as there was an understanding that if the room was needed for City business it would have priority. In this case, ample notification would be made to Senator Poochigian's office that a scheduling accommodation would need to be made.

Mayor Pro Tempore Howard noted that the request is to use the conference room during regular business hours, eliminating the need for security or other special services after hours. They do not need technological equipment and have stated that reimbursement would be made if the City incurred any expenses associated with them occupying the conference room. She stated that this use compliments, and is parallel, to the regular business conducted at the Carnegie Forum. She noted that these are the parameters that should be considered if similar requests are made in the future.

Ann Jordan reported that Senator Poochigian's district encompasses Fresno, the northern portion of Modesto, Linden, Morada, Woodbridge, Acampo, and Lodi. The request for the use of the Forum conference room was made in the interest of good government and trying to be of service to the citizens of Lodi.

Council Member Beckman commented that as a former legislative staff member he believed it was very advantageous to the City to allow this use to give its citizens an opportunity to meet with their representative to discuss issues under the jurisdiction of the State.

MOTION:

Council Member Land made a motion, Beckman second, to approve the request from Senator Charles Poochigian's office for his staff to use the Carnegie Forum Small Conference Room as office space for two half days per month (not to exceed one year).

DISCUSSION:

In reply to Mayor Pro Tempore Howard, Ms. Jordan indicated that they would advertise when visits to the Forum were planned.

Mayor Hitchcock suggested that an announcement of their schedule be made at City Council meetings under communications.

VOTE:

The above motion carried by a unanimous vote.

- I-3 "Adopt resolution approving a mitigation monitoring program and authorizing the City Manager to enter into a land lease agreement with CalPeak Power, LLC as related to the installation of a power generation plant located at the Fred M. Reid Industrial Substation site, located at 1215 E. Thurman Street"

Mel Grandi, Electric Services Manager, noted that he was filling in for the Electric Utility Director who was absent due to illness. He stated that installation of the CalPeak power generation plant would enhance the electric system to Lodi and the surrounding area by reinforcing the backbone of the electric system. The ground lease agreement is \$24,000 a year.

Council Member Land noted that it is a low-lease price; however, in return the City will be receiving a power plant that provides reliability and will be interconnected to the transmission line and a substation.

Mr. Grandi expected that the power plant would be used during peak seasons for the California Independent System Operator and under a contract with the Department of Water Resources that already exists. This will reinforce and help Lodi significantly from the loading conditions it is receiving from the Lockeford substation.

In reply to questions posed by Council Member Land, Mr. Grandi confirmed that there would not be a cost to citizens or ratepayers. It would offset transmission expenses and local generation expenses for fuel. The City would have a first option to purchase the power plant after nine years.

In answer to Council Member Hansen, Mr. Grandi stated that with the addition of this power plant the City would be 85% to 95% fully redundant in resource of energy, which would nearly eliminate any chance of blackouts.

Council Member Hansen noted that as a commissioner for the Northern California Power Agency he thanked CalPeak for its willingness to work with City and believed that it would be a great partnership and benefit to Lodi.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Beckman second, unanimously adopted Resolution No. 2003-17 approving a mitigation monitoring program and authorizing the City Manager to enter into a land lease agreement with CalPeak Power, LLC for the installation of a power generation plant located at the Fred M. Reid Industrial Substation site, located at 1215 E. Thurman Street.

- I-4 "Review schematic design for Indoor Sports and Activity Complex Project and authorize proceeding with design development phase"

City Manager Flynn stated that given the State's budget and rising costs of PERS and medical care, he would be recommending to Council that all projects be deferred for one year at this phase in the process. He noted that the recommendation in the staff report for this item was to proceed with the design development. Funds in the amount of \$900,000 were set aside for design, and thus far approximately \$200,000 has been used. He recommended that the unused portion be shifted to DeBenedetti Park because it can be done in phases over time. Under the Certificates of Participation (COP) obligations there is a requirement to begin the project in three years and use the money within five years.

Parks and Recreation Director Baltz reported that the schematic design for the Indoor Sports and Activity Complex has been completed and just over \$188,000 has been spent to date. There is still property that needs to be obtained for the project. A portion of the soil testing has been done. He recalled that when the concept plan was approved by Council the estimated construction budget for the project was \$9.4 million. The design development phase will not exceed \$171,000. Just over \$935,000 was set aside for this project. Approximately \$90,000 was approved by Council for work on a master campus plan for the entire block of the property.

In reply to Council Member Hansen, David Petta, Principal of ELS Architects, estimated that it would take two to three months to prepare the design development plans.

In answer to Council Member Hansen, Mr. Baltz emphasized his desire that funds allocated for Parks and Recreation not be used for an unrelated purpose.

In response to Council Member Hansen, Mr. Flynn stated that based upon revenue projections he was certain that the City could not move forward on all four projects, i.e. animal shelter, indoor sports complex, aquatics center, and DeBenedetti Park. Currently the animal shelter is at the point where it is ready with construction documents to move forward. He explained that if all the projects move forward to that phase it would result in a difficult choice for the Council, because they will all be ready at the same time. If all the projects stop at the phase they are in now, they will remain in the same relationship to each other. He recalled that the COP funds were obtained in 2001, so the end of the three-year period would be in 2004.

Council Member Land stated that he was not in favor of shifting the funds to DeBenedetti Park at this time. He asked when the remaining property would be acquired.

Community Development Director Bartlam reported that there is one piece of property on the corner of Main and Elm Streets that is needed to do the project. Staff anticipates updating Council regarding the status of negotiations regarding this property, as well as property needed for the aquatics facility, at its next closed session meeting.

Council Member Land preferred that this project be put on hold until a definite answer from the State regarding the budget is known. He was opposed to the City Manager's recommendation to allocate the remaining funds toward the DeBenedetti Park project.

Mayor Pro Tempore Howard believed it would be realistic that the construction of the indoor sports complex could begin in 2004. She inquired as to how long the soil testing clean up would take.

Mr. Flynn reminded Council that not all the property needed for the project has been acquired, and consequently there is some soil testing that is yet to be completed. He stated that automotive repairs were done on the property, so it is unknown what level of contamination might exist.

City Attorney Hays explained that until results from the soil testing are known, it is impossible to estimate the amount of time needed to clean up the site.

Mayor Pro Tempore Howard suggested that this item be continued until Council has had an opportunity to receive a report in closed session regarding the status of property negotiations. She commented that if situations exist that will eliminate the possibility of beginning construction on the indoor sports complex in 2004, she hoped that shifting funds to the DeBenedetti Park project would be for the purpose of expediting the entire project, not just the excavation phase; if not, in essence, that action would merely delay two (and all) projects.

Council Member Beckman supported the City Manager's recommendation to defer this project. He asked whether the remaining funds could be diverted to the soccer field project. Mr. Flynn replied in the affirmative. Mr. Beckman suggested that discussion take place in the future about prioritizing City projects.

Mayor Hitchcock asked for clarification on whether COP funds were tied to specific projects.

Mr. Hays and Mr. Flynn confirmed that there was broad language in the COP documents, allowing for the funds to be used for other capital projects.

Mayor Hitchcock stated that in light of the City Manager's recommendation, it might be beneficial to send this matter back to the Recreation Commission for the purpose of determining priorities. She indicated that the remaining funds from this project should be used for Parks and Recreation purposes. She asked the City Manager whether it would reduce the debt service significantly if the money were paid back.

Mr. Flynn replied that he would have to do some research to determine what the payment difference would be if the COP funds were returned.

Council Member Hansen pointed out that there is an advantage in building these projects in "today's dollars." In addition, there is a danger of the interest rate going up if the COP funds are returned and the City chose to borrow again in the future. He inquired about the status of the animal shelter project.

Mr. Flynn responded that he will bring the animal shelter project back to Council prior to seeking bids. He explained that to balance the next budget, assuming a \$3 million loss, he would need \$1.5 million set aside money in the capital fund. With this taking place, there would not be adequate funds to complete the animal shelter project.

In response to Mayor Pro Tempore Howard's earlier comments regarding the estimated timeline, Mr. Hays explained that the most difficult, or time consuming, remaining work is related to the acquisition of property, not the soil testing or cleanup. He explained that the site was previously a tractor repair facility, so there may be oil on the ground. The clean up would consist of removing the contaminated dirt and disposing it at a class one dump site.

Mayor Pro Tempore Howard reiterated her recommendation that this matter be continued until after Council has an opportunity to hear staff's update at a closed session meeting. If the steps of this project can be completed in accordance with the COP timelines for beginning construction and expending funds, then its course should not be altered or delayed.

Mayor Hitchcock stated that if the debt service payment would be significantly reduced by returning the COP funds, she would prefer that course of action. If there would not be substantial savings, then she preferred to use the remaining funds toward acquisition of property. She did not believe it would be feasible to begin construction on the indoor sports complex in 2004, because it would mean having to finance \$10 million.

Council Member Land pointed out that it is inevitable that debt financing will be needed for the indoor sports complex, as well as every other large project on Council's priority list. He stated that a vote in opposition by the Mayor on financing the project would have a negative effect on the City from the rating agencies, as well as the public. He asked the Mayor if she planned to support the projects and some level of debt financing.

Mayor Hitchcock stated that she would support the projects as long as the City could afford to pay for them. She expressed concern that in 2003-04 it would not be financially possible. She noted that the City Manager is recommending that the Council withhold spending on all capital projects.

In response to Council Member Hansen, Mr. Flynn reported that there is \$1.1 million in undesignated COP funds. Designated COP funds include \$900,000 for the Indoor Sports Complex, \$545,000 for the Aquatics Center, and \$626,000 for DeBenedetti Park.

In reply to Council Member Hansen, Mr. Baltz stated that grant funds are pursued whenever the opportunity exists. Currently Parks and Recreation has two Proposition 12 grants, which total over \$700,000. Another \$400,000 is anticipated in the next year from Proposition 40.

Mr. Flynn noted that a number of projects have a broad constituency throughout the community, and he suggested that there might be support for a general obligation tax or increase in the sales tax to help pay for the projects. Previously, he had recommended that a community survey be conducted to determine whether there was support among voters in Lodi for such an initiative.

Mr. Baltz interjected that some of the projects qualify under the City's impact fee program, which would be another revenue source.

MOTION #1:

Mayor Hitchcock made a motion, Land second, to refer the matter back to staff to consider the ramifications of alternatives, consult with the Recreation Commission, and return to Council with a recommendation.

Mr. Baltz expressed hope that the Council would be consistent in deferring projects, rather than making such decisions specific only to Parks and Recreation projects.

PUBLIC COMMENTS:

- Bob Johnson, Recreation Commissioner, stated that his personal perspective of the priority of the projects would be: 1) Indoor Sports Center, 2) DeBenedetti Park, and 3) Aquatics Center. He explained that property for the Aquatics Center still needs to be acquired and annexed into the City. He questioned how there could be any benefit

to the Parks and Recreation Department by shifting the remaining funds to DeBenedetti Park for the first phase of the project, which is to grade a ponding basin. He reported that even with the Armory building, there are many more youth entering the basketball program than there is space to accommodate them. He urged Council to authorize staff to move forward with the design development phase of the Indoor Sports Complex.

- John Johnson, Chairman of the Lodi Sports Foundation, stated that the Foundation continues to support the Indoor Sports Complex. He stated that as an individual taxpayer, however, he was opposed to the City spending \$175,000 on the design development phase of the project because he did not believe it would be financially feasible to construct it in the near future. He suggested that Council allocate the funds toward the soccer field project.

Council Member Hansen noted that the former Council raised the public's expectations in terms of getting these projects built. He voiced support for moving forward with the design development phase of the Indoor Sports Center and suggested that perhaps someone should be assigned full time to seek endowments and grants.

In reference to the motion on the floor, Mayor Pro Tempore Howard believed that referring the matter back to staff and the Recreation Commission would merely result in a variety of recommendations, many of which the Council has heard this evening. Further, it was her understanding that staff and the Recreation Commission had already deliberated on the matter. She stated that it is now Council's duty and responsibility to make a decision on whether or not to move forward with the project. While she preferred to continue the matter until after Council had an opportunity to hear staff's presentation in closed session about property acquisition, if that was not an option this evening, she favored approval for the design work of the Indoor Sports Complex to proceed with the design development phase.

Mr. Flynn reminded Council that in addition to other budget factors he reported on earlier, the Fire Department paramedic program at full staff will cost the City \$1.5 million a year. He clarified that the action being requested in the staff report is to move forward with the design development phase—*not* construction design. When the design development phase is completed, there would still be money remaining from the original \$900,000 designated for this project.

Council Member Land **withdrew** his second.

Council Member Beckman noted that the City already has the equipment and owns the property for the site of the proposed soccer field project. He believed that allocating the \$175,000 toward the soccer field project would be the most efficient use of the funds and will, regardless of the outcome of the State's budget, result in a finished project for the Parks and Recreation Department. He then **seconded** the Mayor's motion.

VOTE:

The above motion **failed** by the following vote:

Ayes: Council Members – Beckman and Mayor Hitchcock

Noes: Council Members – Hansen, Howard, and Land

Absent: Council Members – None

MOTION #2 / VOTE:

The City Council, on motion of Council Member Hansen, Land second, approved the design work to proceed with the design development phase of the Indoor Sports and Activity Complex project. The motion carried by the following vote:

Ayes: Council Members – Hansen, Howard, and Land

Noes: Council Members – Beckman and Mayor Hitchcock

Absent: Council Members – None

RECESS

At 9:15 p.m., Mayor Hitchcock called for a recess, and the City Council meeting reconvened at 9:28 p.m.

I. REGULAR CALENDAR (Continued)

NOTE: The following items were heard and discussed out of order.

- I-12 "Adopt resolution approving the new job description and salary range for Senior Accountant and the amended job specification for Accountant I/II"

Amy Flores, Management Analyst Trainee, reported that during negotiations with the Mid-Management group, discussion took place regarding implementation of the salary survey. During these discussions changes were agreed to regarding internal alignments. Additionally, it was determined that one accountant in the Finance Department was supervising a unit of eight employees and working out of class. As a result, it was agreed to review and process the reclassification. Ms. Flores stated that the cost of this reallocation was included in the cost that Council approved to implement the survey. The total cost to reclassify this position will be a 10% (\$499.10) differential over the employee's current salary. Staff is requesting Council's approval of the job description and salary range for Senior Accountant and the reclassification from Accountant II to Senior Accountant.

Council Member Hansen asked for clarification on whether the money had been budgeted and if it was agreed to in negotiations, to which Ms. Flores answered in the affirmative.

MOTION:

Council Member Hansen made a motion, Howard second, to adopt Resolution No. 2003-18 approving the new job description and following salary range for Senior Accountant and the amended job specification for Accountant I/II:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
\$4,561.72	\$4,742.55	\$4,979.68	\$5,228.67	\$5,490.10

DISCUSSION:

Mayor Hitchcock did not believe it was a budgeted increase, as Ms. Flores had indicated. The cost would be included in the upcoming budget.

VOTE:

The above motion carried by a unanimous vote.

- I-5 "Accept various donations for Parks and Recreation programs and projects including \$2,500 from Lodi Sports Foundation, \$1,552 from Pietros Pizza Parlors, \$500 from Delta Youth Football League, \$85 from Otto Macheel, and \$350 from Curtis Daniger"

Parks and Recreation Director Baltz commented that the \$2,500 donation from the Lodi Sports Foundation was for the Zupo Field renovations.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Beckman second, unanimously accepted various donations for Parks and Recreation programs and projects including \$2,500 from Lodi Sports Foundation, \$1,552 from Pietros Pizza Parlors, \$500 from Delta Youth Football League, \$85 from Otto Macheel, and \$350 from Curtis Daniger.

- I-6 "Authorize proceeding with the preparation of plans and specifications and advertisement for bids for the installation of donated soccer field project; and approve amending letter of understanding with Dave Vaccarezza"

Parks and Recreation Director Baltz reported that this project consists of installation of soccer fields, one covered and one not covered, lights, and restrooms in the north parking lot of the Grape Bowl. An environmental review needs to be done for the project. The covered structure has been designated as an A-4, which requires that a fire sprinkler system be included. Due to these changes, the cost estimate is now \$678,000. Mr. Baltz stated that it was determined to be cost prohibitive to use the modular buildings for the project, as they are permitted to be indoor only and transportation is very expensive. Staff is recommending permanent restrooms to be built on site through modular or prefabricated technology. Mr. Baltz suggested that \$409,955 come from General Fund Capital, \$100,000 from the Electric Utility Public Benefits program, and \$168,500 from Proposition 12 grant funds. He reported that this matter was considered by the Recreation Commission yesterday and the options are to either move forward with the project or return the donated items to Mr. Vacarezza.

In answer to City Manager Flynn, Mr. Baltz reported that the field house restrooms at the Grape Bowl are 700 feet away from the soccer field site.

In reply to Mayor Hitchcock, Mr. Baltz roughly estimated the cost for a contractor to install the soccer field material at \$5,000; however, he indicated that he would provide Council with an accurate amount at a later date. He reported that approximately \$700,000 is available in Proposition 12 funding, though he preferred not using any of it on this project.

Mayor Pro Tempore Howard encouraged the use of as much Proposition 12 funding as possible on this project. She noted that the restroom costs include 10% contingency funds. Including the estimated cost for installing the soccer field material, the project will total nearly \$700,000. She asked what the cost comparison would be between using new equipment versus the donated items.

Mr. Baltz replied that he had not done a cost analysis between new and used/donated equipment. He noted that Proposition 12 funds are a reimbursable grant program, so the City would need to expend the monies up front and request reimbursement.

Council Member Land pointed out that this is one of the few Parks and Recreation programs that will generate revenue, i.e. approximately \$32,000 per year.

Council Member Hansen suggested using COP funds, rather than taking \$409,955 out of the General Fund capital account.

Council Member Beckman concurred with Mr. Hansen's recommendation.

Mayor Hitchcock stated that she could not support this project with staff's recommendation for funding, as she believed that the City will need every dollar it has for operating expenses. She voiced approval for the project's funding through Proposition 12 grants.

Mr. Baltz replied that it was never his intention to use all of the Proposition 12 grant funds on this project.

Mr. Flynn expounded on Council Member Hansen's funding recommendation, stating that \$171,785 of the \$900,000 that was set aside for the Indoor Sports Complex would go toward the design development phase of the project, which would leave money still within the General Fund capital account. Consequently, the recommendation is to use COP dollars, not operating funds. Mr. Hansen expressed agreement.

PUBLIC COMMENTS:

- John Johnson voiced support for the funding recommendation being considered and stated that the soccer field project would be of great benefit to the recreation community.

- Bob Johnson, member of the Recreation Commission, reported that the Commission voted last night to support this project and urged Council to do so as well. He asked Council to consider saving money by using Portapotties instead of constructing permanent restrooms for \$110,000.

Council Member Hansen stated that the facility would be heavily used and preferred that the permanent restrooms be included in the project.

MOTION #1:

Council Member Hansen made a motion, Howard second, to authorize proceeding with the preparation of plans and specifications and advertisement for bids for the installation of donated soccer field project, with funding in the amount of \$678,455 from the following sources:

- \$409,955 – Certificate of Participation funds (designated for capital projects)
- \$100,000 – Electric Utility Department – Public Benefit funds
- \$168,500 – Proposition 12 grant funds

DISCUSSION:

Mayor Pro Tempore Howard stated that the new restrooms would likely be used by individuals attending functions at the Grape Pavilion as well. She suggested that Parks and Recreation consider the whole picture before renovating current facilities at the Grape Bowl, as it might better serve the needs of the public by relocating them.

Council Member Beckman commented that by this decision, the Council would be making the project prioritization for the Recreation Commission. Regarding the remaining projects, he stated that he would like to get a prioritization from the Commission itself.

Mayor Hitchcock asked Mr. Bartlam if he anticipated needing a mitigated negative declaration due to the loss of parking spaces from 400 to 265.

Mr. Bartlam replied that the parking lot has an adequate number of spaces for the anticipated uses. Lighting and noise would be the two issues focused on in the Environmental Review process.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Howard, and Land

Noes: Council Members – Mayor Hitchcock

Absent: Council Members – None

MOTION #2 / VOTE:

The City Council, on motion of Council Member Land, Hansen second, unanimously approved amending the letter of understanding with Dave Vaccarezza, with amendment to Exhibit A to indicate the return of the following items:

- furniture and fixtures
- floor – NBA
- scoreboards
- standards (hoops)
- snack bar – equipment (refrigerator and freezer)
- party room dashboard system
- murals
- pro shop displays
- computer equipment
- modular buildings

Dave Vaccarezza stated that he was able to negotiate three months of free rent on the warehouse where the equipment is stored, which will be passed on to the City.

RECESS

At 10:28 p.m., Mayor Hitchcock called for a recess, and the City Council meeting reconvened at 10:40 p.m.

I. REGULAR CALENDAR (Continued)

I-7 "Review the current status of major capital projects"

Finance Director McAthie explained that capital projects are plan sets of work activities designed to accomplish Council goals and objectives. These projects become the focus for organizational-wide efforts to ensure that the highest priority City Council plans are incorporated into the budget cycle. The capital improvement budget emphasizes project planning. Projects progress through the following phases:

1. Designated – In this stage funds are set aside for future project development under "pay as you go" financing.
2. Study – Includes concept design, site selection, feasibility analysis, schematic design, environmental determination, property appraisals, scheduling, grant applications and approval, and specification preparations.
3. Acquisition – Includes equipment purchases and property acquisition if necessary.
4. Design – Includes final design plan and specification preparations and construction cost estimation.
5. Construction – Includes bid administration, construction, project inspection and management, and closeout.
6. Debt Service – Installment payments for principal and interest for completed projects are funded through debt financing.

She provided the following information related to the status of capital projects in the 2001-03 financial plan and budget:

- New Police Facility – \$13.9 million was budgeted, not including \$220,000 for the Art in Public Places element. The Art in Public Places policy was adopted after the funds were allocated for this project. It is anticipated that the project will come in under, or at, budget with no major cost overruns. Currently the project is six months into the building phase. The estimated completion date is the end of 2003.
- Animal Shelter – \$4.2 million was budgeted including the Art in Public Places element. Staff anticipates that this will come in under, or at, budget. The project received Council approval to obtain construction bids. Award of the bids will come back to Council for approval.
- Remodel of the Public Safety Building – Currently in concept design phase.
- Parking Structure – Completed in 2002 under budget. Fire Administration occupies a portion of the building. Council approved the relocation of the Finance Department from the Annex building to the parking structure until the remodel of the old public safety building is complete.
- Fire Department Quint Truck – Purchased on a seven-year lease purchase with annual payments of \$132,000.
- Tow vehicle for the mobile command center – Purchased and placed in service in August 2002.
- Rescue Trailer – Has not been purchased. Staff is beginning to look into this project.
- Fire Station #4 – \$1.6 million was budgeted. The project has been completed and the Station occupied since March 2002.
- Fire Station #2 – Awaiting cost estimate for demolition and reconstruction.

City Manager Flynn reported that this project was originally estimated at \$500,000; however, the architect has recommended that the structure be demolished and a new Station constructed at an estimated cost of \$1.7 million.

- Water System Expansion – Well 26 at Bridgetown Park has been completed. Well 27 at DeBenedetti Park has had a test well drilled at two locations with positive results at one. Construction of the well improvements will be coordinated with construction of the park, unless the requirement precedes the park schedule. Well 28 at the Electric Utility substation has had a test well drilled with positive results. Design of the well is proceeding and an above ground storage tank at the site is being evaluated at this time.
- Water Capital Maintenance – Various water relocations and replacements have taken place in conjunction with street maintenance projects, capital building projects, and development projects. Well 10C at Mondavi Warehouse on Guild Avenue is out to bid for construction with the project estimated to begin February 10.
- Pipe Inspector and Rehabilitation System – Project one should be completed by February 28. Project two is anticipated to be bid in May 2004.
- White Slough Facility Upgrade – The design contracts have been issued for the first phase of the improvements identified in the White Slough Wastewater Master Plan, which went to Council in January 2001. Phase one is approximately \$3 million and will be done in twelve months. Phase two is \$10 million and will be done approximately 36 months from now.
- Collection System Capital Maintenance – Various sewer main replacements and relocations have occurred in conjunction with street maintenance projects, capital building projects, and development projects. This is also tied into the pipe inspector and rehabilitation system project.
- PCE/TCE Cleanup – The City Attorney has updated Council on this matter during closed session meetings.
- Electric Utility Projects – Included line extensions and system improvements, which provide funding to install facilities to serve new loads, as well as expansion of facilities to serve additional loads. Some specific system improvement terms have been identified for construction in both fiscal years. The downtown reconstruction project is ongoing. The feeder from Henning Substation and Cochran Road getaways at McClane Substation and overhead line reconstructions from Turner Road to Le Bec Court have all been completed.
- Street Light Improvements – This is a multi-year, multi-phase project and is estimated to remain active for the next two to three years. When completed a total of 1,000 to 1,200 lights at a cost of \$3.5 to \$4 million will have been installed. To date three contracts have been awarded. Phases one and two have been completed at a cost of \$943,000. The estimated cost of phase three is \$1.3 million.
- New Electric Facility – Is in the design stage.
- Exchange Server – Estimated completion date is May 2003, with a budget of \$20,000.
- Electric Utility PC Replacements – The appropriation for 2001-02 was \$21,000. Just over \$11,000 was expended on five computers and software. In 2002-03 the appropriation was \$14,000 and currently they have four computers on order for a total of \$7,700 including software. They anticipate spending \$4,000 for two laptop computers.
- Engineering Software – No action has been taken. Staff anticipates re-budgeting the \$180,000 in the 2003-05 budget.
- Substation Construction – Currently, additional land is being acquired for the Killelea Substation and preliminary scoping design has been performed with minor expenditures. This project will be re-budgeted in 2003-05. None of the items budgeted for the McClane Substation have been performed. The battery system capacity increase project will be completed in fiscal year 2002-03 and other items outlined in that budget will be re-budgeted in the 2003-05 fiscal year. The 12kV circuit

breaker and feeder have been installed for the Henning Substation, and land acquisition is in progress at this time.

- Substation Block Wall – The contract for this project was awarded in the amount of \$69,600. Construction is expected to begin in February with completion by March or April. The appropriated amount of this project is \$100,000 with a final cost estimated at \$85,000.
- Remote Read Program – This was established as a pilot project to determine the viability of radio read technology. Approximately 100 meters have been installed for evaluation purposes. \$28,000 was appropriated for the program and nearly all has been expended.
- Lodi Avenue Railroad Tracks – The Memorandum of Understanding has been signed for future abandonment of the tracks. The tracks were paved over in 2002 and staff anticipated including budget requests for removal of the tracks in 2003-05.
- Tree Planting and Landscaping – The Hutchins Street Square median and frontage landscaping project between Wimbledon and Kettleman Lane has been completed and came in close to the budget of \$185,000.
- Street Maintenance Projects – New traffic signals have been designed and construction of the traffic signals at the intersections of Harney Lane and Stockton Street and Century Boulevard and Ham Lane will be constructed this fiscal year. The Lodi Avenue, Mills Avenue traffic signal will be contracted for construction this year and completed next year. Community Development Block Grant funds totaling \$200,000 were used this year for construction of handicap ramps at various locations throughout the City. Turner Road reconstruction from Pleasant Avenue to Highway 99 will be contracted this year and constructed both this year and next fiscal year. Sidewalk replacements and gap closure projects were not funded this fiscal year. The street maintenance did some sidewalk repairs, but the larger sidewalk program is funded by Measure K maintenance funds, which have been allocated for the next six to eight quarters.
- Major Street Expansions – Lower Sacramento Road from Kettleman Lane to Kristen Court is in design. Construction authorization will be sought from the California Transportation Commission during the next fiscal year. Kettleman Lane gap closure and median design is complete. The right of way acquisition is in progress and construction authorization will be sought from the California Transportation Commission next year. Century Boulevard extension design is complete and construction will occur concurrent with the Lower Sacramento Road and/or the DeBenedetti Park improvement projects as funding permits. Widening projects that have been completed in connection with new development projects include Harney Lane and Stockton Street.
- E-Government – During the past 18 months the PC replacement account has funded the purchase of more than 50 PCs and servers plus related software and peripherals. In addition it has assisted in the development of a Web page, on-line payment process, and availability of information on line.
- Civic Plaza Veterans Monument – Construction was completed in May 2002. Physical improvements to the Plaza were donated to the City in January 2003. The Plaza Foundation is making quarterly payments of \$10,000 to pay off the \$450,000 loan from the City. To date the Foundation has repaid \$30,000.
- Telephone Upgrades – The upgrades to the Civic Center main PBX cabinet expansion, the voice mail server, and the telephone system upgrade for Hutchins Street square have all been completed.
- HVAC Replacements – the Fire Station #3 reroofing project is out for bid for construction now and HVAC system replacement will be bid soon with construction of both initiated and likely completed by the end of this fiscal year. The reroofing project at White Slough was completed a few months ago. Reroofing the boiler works building will be included in the upcoming budget.

- Development of Greenbelt – Council was updated on this matter on January 7. No anticipated completion date is known, but elements of a policy such as agricultural land conversion mitigation will be before the Council this calendar year.
- Redevelopment Agency – The project area was rejected. Staff will be bringing back to the Agency a request to retain the consultants to prepare a revised plan. The anticipated completion date is July 2003.
- Housing Element Update – Council approved the consultant contract and the anticipated completion date on this project is estimated to be December 2003.
- Indoor Sports Center – Council was briefed on this project earlier this evening.
- Aquatics Center – Currently in the construction design phase. Estimated cost is \$7 million.
- DeBenedetti Park – This park consists of design and development of a youth sports complex with lighted fields and a park within the G-basin. The project is in the final construction document phase and is estimated at \$11.6 million.
- Lodi Lake Central Area Improvements – Estimated at \$1.5 million. The conceptual plan is under development for improvements including new irrigation, added turf areas, replacement of asphalt paving building ramps and walkways, and landscaping. The project is pending formal approval and funding.
- Lodi Lake West Side Development Plan – The conceptual plan is under development for construction of a new parking lot in the front of the lake, which would give organized parking for beach operations and the Discovery Center. The project is estimated at \$100,000 and is waiting for formal approval and funding.
- Lodi Lake Pedestrian Trail – Phase one is complete. Phase two is scheduled to be constructed this spring at an estimated cost of \$192,000.
- Outdoor Skate Park – This project was completed in June 2002 for a cost of \$567,000.
- Salas Park Backstop Extensions – Project funds in the amount of \$33,000 were reassigned to Zupo Field renovations, which are currently in progress.
- Small Projects Various Parks – \$40,000 has been allocated and the projects are ongoing.
- Shade Structure English Oaks Park – This project is planned for fiscal year 2002-03. \$35,000 has been allocated to install a pre-engineered manufactured shade structure.
- Park Irrigation Systems – \$45,000 has been allocated. Maxicom is scheduled to be installed at Kofu and Salas Parks during the current fiscal year.
- Slurry Seal for Nature Trail – \$10,000 was allocated for this project, which has been completed and also allowed for the sealing of Hale and Kofu Parks parking lots as well.
- Installation of Donated Soccer Fields – This matter was considered on tonight's agenda.
- Richards Ranch Park – The cost is undetermined. The preliminary concept plan has not yet been completed. The City must acquire property within the next two years per the developmental agreement.
- Pixley Park – The cost is undetermined. The preliminary conceptual plan is now under review. No timelines or funding has been determined; however, additional property is needed to be acquired to facilitate the use as a drainage basin and adult softball field complex.
- Roget Park – The preliminary conceptual plan has been produced. Some trimming of trees and bush removal has occurred. Funding has not been identified. The plan calls for a passive neighborhood recreational use park.
- Library Facilities Master Plan – The Master Plan was completed in February 2002. In April 2002 the Library Board adopted the recommendation and the Council endorsed its recommendations.
- Building Renovation and Americans with Disabilities Act (ADA) Compliance – The community room and lobby area was refurbished with new furniture, carpeting,

window treatments, acoustical paneling, ADA hardware, and plumbing was installed. This project was 90% complete in September 2002.

- Checkout Equipment and Workstations – This project is on hold until a funding source can be identified.
- Upgrade Integrated Library System – Funding was denied at the January 2 City Council meeting.

Ms. McAthie announced that the topic of discussion for the February 19 and March 5 budget reports will be revenue assumptions.

In reply to Council Member Hansen, Public Works Director Prima reported that the gap closure project on Kettleman Lane will be completed in 2004.

Mayor Pro Tempore Howard suggested that staff consider adding to the list of capital projects the CalPeak power plant and the Municipal Service Center.

Council Member Hansen reported that at the last 2x2 meeting with Lodi Unified School District he had brought up the need for a traffic light at the intersection of Elm Street and Pacific Avenue adjacent to Lodi High School. There are safety issues before and after school, as well as during the two lunch periods. He asked Mr. Prima if it could be raised on the priority list.

City Manager Flynn recalled that this matter had been considered previously. Public Works did not believe the short duration of traffic congestion warranted the installation of a \$200,000 light, and the Police Department preferred not to have a police officer directing traffic in the area due to liability issues. Mr. Flynn stated that students should be encouraged to walk or use public transportation.

Mayor Hitchcock asked that Council Members Hansen and Beckman be provided with the traffic signal report and suggested that a Shirtsleeve Session be scheduled to review the procedure for prioritization.

Mayor Pro Tempore Howard commented that a computer lab group at Lodi High School is conducting research on traffic and congestion and will be prepared to make a recommendation by the end of the spring school year.

MOTION / VOTE:

There was no Council action required on this matter.

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

MOTION #1:

Council Member Land made a motion to adjourn the meeting to 1:00 p.m. on Thursday, February 6, 2003. The motion **died** for lack of a second.

MOTION #2:

Council Member Hansen made a motion, Howard second, to continue item I-8 to the next regularly scheduled Council meeting and to proceed with the remainder of the meeting following the 11:00 p.m. hour.

DISCUSSION:

Council Member Land read the following recommendations from the League of California Cities Mayors and Council Members Institute on how mayors should manage meetings:

- Be prepared and organized so business moves along smoothly in an orderly and businesslike fashion;
- The agenda should be read well in advance and routine questions directed to staff before the meeting;

- Avoid debates between council members and city staff;
- Start on time and finish at a reasonable hour;
- Avoid using meetings as a forum for micromanaging the city;
- Keep the meeting on track;
- Avoid ambushing or embarrassing staff, as staff cannot fight back and council members doing so are perceived as bullies; and
- The State Supreme Court has fully recognized that council meetings are a business meeting and not a time to deliberate and debate every item on the agenda.

Council Member Land noted that the public is not participating in Council meetings during the late hours. He expressed his observation that the Mayor is not perceiving the feelings and desires of the audience, citizens, or himself as a Council Member. Mr. Land recalled that on several occasions he informed the Mayor of his obligation to report to work early in the morning following Council meetings. He reiterated his previous recommendation for the Mayor to estimate a reasonable timeframe for each item on the agenda when she reviews the draft agenda with staff.

Mayor Hitchcock believed that the length of recent meetings was related to large agendas and that good discussions have taken place. She suggested having more frequent meetings or beginning them earlier.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Howard, and Mayor Hitchcock

Noes: Council Members – Land

Absent: Council Members – None

I. REGULAR CALENDAR (Continued)

- I-8 “Review and take appropriate action, if necessary, regarding frequency and scheduling of City Council meetings and Informal Informational ‘Shirtsleeve’ Sessions” was ***pulled from the agenda and rescheduled for the City Council meeting of February 19, 2003 pursuant to the vote shown above.***

- I-9 “Follow up discussion regarding auditor’s report”

City Manager Flynn recommended that this item be rescheduled to the next Shirtsleeve Session.

Mayor Pro Tempore Howard noted that she would be absent due to her attendance at the APPA Legislative Rally.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Howard second, unanimously voted to schedule this item for the February 11, 2003, Shirtsleeve Session.

- I-10 “Adoption of Resolution of Authority and Resolution of Public Interest and Necessity, thereby formally authorizing the acquisition of property through the eminent domain process (Lower Sacramento Road widening – 1164 South Lower Sacramento Road – Valentine)”

City Attorney Hays explained that Council should consider the following matters in regard to the eminent domain process:

- Does the public interest and necessity require the project;
- Is the project planned or located in the manner that will be most compatible with the greatest possible good and the least private injury;
- The property sought to be acquired is necessary for the project.

Mr. Hays reported that the property owner was notified 15 days prior to the hearing of their right to appear. He stated that the Lower Sacramento Road improvement project (from Turner Road to Kettleman Lane) has been completed with the exception of the acquisition of the interest in the property on the Valentine parcel. The improvements were accomplished under a right of entry that the Valentine's signed, with the understanding that the City would negotiate the acquisition. Mr. Hays stated that the size of the take is 2,010 square feet; 134 feet long and 15 feet wide. The overall Valentine property is 8.5 acres. The general plan for the parcel is low-density residential and it is zoned R-1. Staff has attempted for two and a half years to get the Valentine's to enter into discussions about the acquisition. As that has been unsuccessful, it is recommended that Council adopt the resolution that would begin the condemnation process for the acquisition of this property.

MOTION:

Council Member Hansen made a motion, Land second, to adopt Resolution No. 2003-19 of Authority, Public Interest, and Necessity; thereby, formally authorizing the acquisition of property through the eminent domain process (Lower Sacramento Road widening – 1164 South Lower Sacramento Road – Valentine).

DISCUSSION:

Council Member Beckman inquired if the City did not proceed with eminent domain, whether the property would eventually be developed and the developer would dedicate it back, in which case the City would not have to pay anything at that time.

Mr. Hays explained that the developer would be able to bring an inverse condemnation action against the City, so it would still end up paying for the property.

Council Member Hansen noted for the record that the property owners were not present.

Mr. Hays stated that they are absentee landowners who live in San Francisco.

VOTE:

The above motion carried by a unanimous vote.

- I-11 "Adopt resolution authorizing the City Manager to execute professional services agreement with Saracino Kirby Snow for water supply planning work and appropriate \$90,000"

Public Works Director Prima reported that the City is in negotiations with the Woodbridge Irrigation District about the possibility of obtaining surface water. Staff is recommending that water supply planning work be done by Saracino Kirby Snow so that it can report back to Council on how the City might use the water, the cost, and implications to the system. Included in the scope of work will be identifying new development mitigations to increased groundwater use.

Council Member Beckman stated that he was pleased that mitigation of water use from new developments is going to be included in the work. He commented that while serving on the Planning Commission he was one of the major impetuses in getting that done.

In reply to Mayor Hitchcock, Mr. Prima confirmed that he was recommending deferral of developing a groundwater model. He explained that one of the alternatives staff wants to explore for the use of surface water, is to inject it into the groundwater. Until a preliminary scope is done to determine how large an injection field might be considered, it would be premature to do the modeling.

MOTION / VOTE:

The City Council, on motion of Council Member Beckman, Hansen second, unanimously adopted Resolution No. 2003-20 authorizing the City Manager to execute a professional

services agreement with Saracino Kirby Snow for water supply planning work and appropriated \$90,000.

- E-4 "Adopt resolution approving plans and specifications and authorizing advertisement for bids for Traffic Signal and Street Lighting Improvements at Century Boulevard and Ham Lane; and authorizing the City Manager to award the contract and appropriate funds (\$185,000)"

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Howard second, unanimously adopted Resolution No. 2003-21 approving the plans and specifications and authorizing advertisement for bids for Traffic Signal and Street Lighting Improvements at Century Boulevard and Ham Lane; and authorizing the City Manager to award the contract and appropriate funds in the amount of \$185,000.

J. ORDINANCES

None.

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Hansen requested a report listing City Council meeting adjournment times for the two-year period of 2001-02.
- Mayor Pro Tempore Howard announced that she would be attending the American Public Power Association legislative rally. In preparation, she attended a three-day seminar in Sacramento hosted by the Northern California Power Agency, as did Council Members Beckman and Hansen. She stated that there was also a special legislative rally day in Sacramento hosted by the California Municipal Utilities Association. She defined the following acronyms: MD02 – Market Design 2002; and SMD – Standard Market Design. She stated that the Federal Energy Regulatory Commission (FERC) has assigned the responsibility to the California Independent System Operator of looking at and developing an SMD for California. At the same time, FERC is looking regionally to develop an SMD for the west coast, Midwest, and east coast.
- Council Member Land stated that he was contacted by two citizens, one of which was Irene Boynton, in response to a newspaper article that mentioned the need for street sweeping to keep debris from clogging the City's drainage system. Ms. Boynton stated that on the block of 400 South Church Street the street sweeper comes the same day as the garbage collector and the containers are in the way, preventing the street sweeper from cleaning the street.

City Manager Flynn stated that he would look into the matter.

Council Member Land also made the following comments:

- He received a call from Joyce Harmon who had hoped that the City could provide a public education program regarding the detriment of mistletoe, and perhaps for a cost savings advantage, lead an effort in a group request for bids to remove mistletoe from trees of private citizens who wish to participate.
- He thanked the Community Development Department and Community Partnership for Families for sponsoring the Home and Financial Assistance Workshop, which was held on January 25 at the Lodi Boys and Girls Club. Over 400 people attended the event, which included information on consumer credit counseling, first time home buyer classes, Section 8 and public housing, and how to save on utility bills.
- He was successful in writing an Individual Development Empowerment Account grant through the Federal Home Loan Bank, in which \$250,000 was awarded for this community to be used toward down payment assistance for first-time homebuyers that are on Section 8 housing.
- Mayor Hitchcock commented that the City of Stockton expressed concern about its impact fees.

City Manager Flynn replied that the San Joaquin Council of Governments (SJCOG) is considering a regional impact fee for traffic. He noted that Public Works Director Prima and Mayor Pro Tempore Howard have been involved in the discussions.

Mayor Pro Tempore Howard voiced concern about the prospect noting that it would add an additional fee to new homes. The money would help fund transportation projects and reduce congestion. She believed that by adding an additional fee to new homes it would be contrary to the goals of many communities as well as SJCOG. She has encouraged SJCOG to continue its efforts related to commuter education and awareness. Taxing on an additional cost to the purchase of new homes would exacerbate the affordable housing crisis that many cities face. She reported that SJCOG is ready to confirm the fees and nearing the time of implementation. At this time SJCOG is steering away from the idea of adding the fee to industrial property, and is now considering only commercial and housing. The City of Stockton has expressed opposition to adding the fee to commercial property.

- Council Member Beckman announced that he is getting married on February 14 and felt very blessed, stating that he refers to his fiancé as his angel and would be adding a "better half" to himself through matrimony.

L. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager Flynn reported that he attended a conference on Smart Growth and announced the following birthdays:
John Beckman – January 7
Dixon Flynn – February 17
Jerry Adams – February 27

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 12:03 a.m., Thursday, February 6, 2003.

ATTEST:

Susan J. Blackston
City Clerk